

REQUEST FOR DETERMINATION OF APPLICABILITY
Massachusetts Wetlands Protection Act, G.L. c 131, § 40

A Request for Determination of Applicability (Form 1) must be filed for any work occurring within 100' of a wetland. The wetlands in the Town of Acton have been delineated on the Town Atlas (scale 1"=1200') which is available at the Conservation or the Engineering Offices, Town Hall, 472 Main Street, Acton, Massachusetts or through the Town of Acton GIS, at <http://host.appgeo.com/ActonMA/>.

The following Guidelines were established (July 1984) to simplify filing procedures:

1. The Commission is required by law to hold the hearing within 21 days of receipt of the application, and render a decision within 21 days of the closing of that hearing. Please contact the office prior to filing for a meeting schedule date and time at 978-929-6634. Conservation meetings are generally held on the first and third Wednesdays of each month; therefore, applications must be filed by noon, 14 days prior to either meeting to allow for publication of the meeting notice.
2. All applications to the Town of Acton **(four hard copies and one electronic)** shall include:
 - a. A Request for a Determination of Applicability (Form 1), Massachusetts.
 - b. Map or plot plan which shall include:
 - location of existing structures
 - proposed work (structures and grading)
 - wetlands boundaries
 - flood plain boundaries
 - 100' buffer zone boundaries, and the 50' natural vegetative and 75' no-build setbacks
 - existing and proposed topography where necessary
 - c. A check or bank money order for **\$125 payable to the Town of Acton** for local application fee.
3. The applicant shall notify the Town Clerks Office, and the owner of the property.
4. The applicant shall send one copy of the Request for Determination of Applicability (Form 1), and one copy of the plan to the D.E.P. Central Regional Office**.
5. Abutters shall be notified, at the applicant's expense, only if construction will disturb more than 1,000 sq. ft. and/or will occur within twenty (20) feet of the wetland. Abutters are owners of land sharing a common boundary or corner with the site of the proposed activity in any direction, including land directly across a street, way, creek, river, stream, brook, or canal AND within 100' of property boundary line (as noted under the Wetlands Protection Act).
6. A newspaper advertisement of the date, time and place of the determination meeting shall be placed by the Commission at the applicant's expense.

**Department of Environmental Protection
Central Regional Office
8 New Bond Street
Worcester, MA 01606